UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

Kevin Khottavongsa, as Trustee for the Heirs and Next of Kin of Sinthanouxay Khottavongsa, Court File No. 16-cv-1031 RHK/DTS

Plaintiff,

vs.

City of Brooklyn Center, Police Officers Alan Salvosa, Cody Turner, and Gregg Nordby, acting in their individual capacities as City of Brooklyn Center Police Officers,

Defendants.

AFFIDAVIT OF JASON M. HIVELEY

Jason M. Hiveley, after being first duly sworn upon an oath, does hereby depose and state that:

- 1. I am an attorney licensed to practice law in Minnesota and represent Defendants in this matter.
- 2. Attached hereto and incorporated herein as Exhibit 1 is a true and correct copy of Deposition of Plaintiff Kevin Khottavongsa.
- 3. Attached hereto and incorporated herein as Exhibit 2 is a true and correct copy of Deposition of Leang Sarin.

- 4. Attached hereto and incorporated herein as Exhibit 3 is a true and correct copy of Deposition of Taing Hong.
- 5. Attached hereto and incorporated herein as Exhibit 4 is a true and correct copy of Deposition of Kear Som.
- 6. Attached hereto and incorporated herein as Exhibit 5 is a true and correct copy of Deposition of Gregg Nordby.
- 7. Attached hereto and incorporated herein as Exhibit 6 is a true and correct copy of Deposition of Randall Jackson.
- 8. Attached hereto and incorporated herein as Exhibit 7 is a true and correct copy of Deposition of Mohamed Elmi.
- 9. Attached hereto and incorporated herein as Exhibit 8 is a true and correct copy of Deposition of Maria Cruz-Martinez.
- 10. Attached hereto and incorporated herein as Exhibit 9 is a true and correct copy of Deposition of Guadalupe Galarza.
- 11. Attached hereto and incorporated herein as Exhibit 10 is a true and correct copy of Deposition of Alan Salvosa with Deposition Exhibit #3 (Incident Report).
- 12. Attached hereto and incorporated herein as Exhibit 11 is a true and correct copy of Deposition of Cody Turner.

13. Attached hereto and incorporated herein as Exhibit 12 is a true and

correct copy of Deposition of Michael Coleman Exhibit #5 (CAD).

14. Attached hereto and incorporated herein as Exhibit 13 is a true and

correct copy of Deposition of Jose Nochez.

15. Attached hereto and incorporated herein as Exhibit 14 is a true and

correct copy of Deposition of Uzma Samadani Exhibit #2 (Expert Report).

16. Attached hereto and incorporated herein as Exhibit 15 is a true and

correct copy of Nordby Deposition Exhibit #5 (Turner Squad Car Video), Nordby

Deposition Exhibit #6 (Deering Squad Car Video) and Salvosa Deposition Exhibit

#6 (Salvosa Squad Car Video).

FURTHER THIS AFFIANT SAYETH NOT.

s/ Jason M. Hiveley
Jason M. Hiveley

STATE OF MINNESOTA)

):ss.

COUNTY OF HENNEPIN

Subscribed and sworn to before me on July 10, 2017, by Jason M. Hiveley.

s/Rebecca J. Eitreim

Notary Public

My commission expires: 1/31/2020